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Application No. 10/711,797
Amendment dated March 5, 2007
Reply to Office Action of January 5, 2007

Docket No.: 4413-0183PUS1

AMENDMENTS TO THE DRAWINGS

Attached hereto is one (1) new drawing sheet that complies with the provisions of 37 C.F.R. § 1.84. The new drawing incorporates the following drawing changes:

Fig. 8 has been presented.

It is respectfully requested that the corrected drawings be approved and made a part of the record of the above-identified application.

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REMARKS

Claims 1-11 remain present in this application.

The specification and claims 1, 2, 3 and 7 have been amended. Reconsideration of the application, as amended, is respectfully requested.

Objection to the Drawings

The drawings stand objected to under 37 CFR 1.83(a). The Examiner has required that the slots of the sliding block and screw bolts as claimed in claim 10 be shown in the drawings or the features cancelled from the claims.

As required by the Examiner, a new sheet of drawings for Fig. 8 is attached hereto. It is respectfully submitted that this new drawing sheet does not contain new matter, as the channel bar 15, plurality of mounting holes 151, sliding block 16 and extended mounting rod 161 are shown in Fig. 7, and the housing 1 is shown in multiple figures. These features are also clearly described in paragraph 21 and claim 10, for example. Because Fig. 8 shows elements which are already shown in existing features and which are clearly described in the original specification, the introduction of this figure should not contain new matter.

Rejections under 35 USC 102 and 103

Claims 1, 4 and 5 stand rejected under 35 USC 102(e) as being anticipated by Stephany et al., U.S. Publication 2005/0013100. This rejection is respectfully traversed.

Claims 2 and 3 stand rejected under 35 USC 103 as being unpatentable over Stephany et al. in view of Tiffany, U.S. Patent 110,402. This rejection is respectfully traversed.

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Claims 6-9 stand rejected under 35 USC 103 as being unpatentable over Stephany et al. in view of Hutzet et al., U.S. Publication 2006/0050018. This rejection is respectfully traversed.

Claims 10 and 11 stand rejected under 35 USC 103 as being unpatentable over Stephany et al. in view of Herzer et al., U.S. Patent 3,655,241. This rejection is respectfully traversed.

It is noted that Stephany et al. teaches a display which is placed "upon a flat section 30 of the display tube 10... The flat section 30 can be rotated about the two rotational members 40. This configuration allows the display 20 to be rotated into an arcuate-shaped base 50 and rotational member receptacles 60" (see paragraph [0015]). The display tube of Stephany et al. is arcuate, i.e., bent or rounded. As is clearly illustrated in Figs. 1, 2 and 3, the display tube creates a rounded protrusion from the surface or device to which it is mounted, in both the open and closed positions. This rounded display is a critical component of the Stephany et al. invention, as Stephany et al. seeks to provide "an extremely safe and padded surface; the surface having no injurious portions..." with "no sharp edges or flimsy flat panels to break" (see paragraph [0001]).

Independent claim 1 of the present application sets forth:

1. A swinging display mounting structure which comprises:
a display with a display screen on a front side thereof;
a housing, said housing having an open chamber for receiving said display; and
a joint coupled between said housing and said display, to support said display in said receiving open chamber and enable said display to be turned about an axis passing through said joint and set in one of a series of angular positions, *including a hidden position, in which said display screen faces the open chamber and the back of said display is substantially parallel with the front of the housing.*

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The Examiner has equated the base 50 of Stephany et al. to the housing 1 of the present application. As is discussed above, although the display of Stephany et al. is mounted on a flat section 30 of the display tube 10, both the display tube 10 and the base 50 are arcuate-shaped.

It is respectfully submitted that Stephany et al. fails to teach or suggest the display having a hidden position, in which the display screen faces the open chamber and *the back of the display is substantially parallel with the front of the housing*. Although the back of the display of Stephany et al. is flat, it is mounted in on an arcuate display tube, which is set in an arcuate housing. Accordingly, the back of the display of Stephany et al. is not substantially parallel with the front of the housing. It is respectfully submitted that it would not be obvious to make the front of the housing of Stephany et al. flat, as this would teach away from Stephany et al. which seeks to avoid sharp edges or "flimsy flat panels."

The secondary references utilized by the Examiner fails to overcome the above-noted deficiencies of the primary reference to Stephany et al.

In view of the foregoing amendments and remarks, it is respectfully submitted that the prior art utilized by the Examiner fails to teach or suggest the swinging display mounting structure of independent claim 1 and its dependent claims. Reconsideration and withdrawal of the 35 USC 102 and 103 rejections are respectfully requested.

Conclusion

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: March 5, 2007

Respectfully submitted,

By 

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